

Before the  
COPYRIGHT ROYALTY JUDGES  
LIBRARY OF CONGRESS  
Washington, D.C.

RECEIVED

DEC 18 2006

Copyright Royalty Board

\_\_\_\_\_  
In The Matter Of:

Digital Performance Rights in Sound  
Recordings and Ephemeral Recordings  
\_\_\_\_\_

Docket No. 2005-1 CRB DTRA

ORIGINAL

**MOTION TO AMEND REBUTTAL FINDING  
OF FACTS AND CONCLUSION OF LAW OF  
NATIONAL PUBLIC RADIO, NPR MEMBER  
STATIONS AND CPB –QUALIFIED RADIO STATIONS**

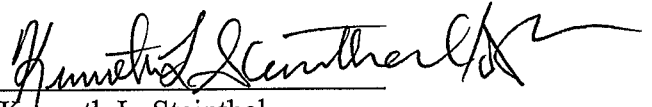
The undersigned counsel for National Public Radio (“NPR”) respectfully moves for leave to amend the Rebuttal Findings of Fact and Conclusions of Law for the sole purpose of improving the readability of the document.

On December 15, 2006, NPR filed its Rebuttal Findings of Fact and Conclusions of Law. After the filing was made, counsel realized that the formatting had switched from double-spaced to single-spaced and the table of contents was missing. Because correcting the spacing and including the table of contents will improve the readability of the document for the Judges, counsel respectfully requests leave to amend the filing with attached correct filing.

Staff Instructions

The attached document should replace NPR's Proposed Findings of Fact and Conclusions of Law originally submitted on December 15, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth L. Steinthal", with a long horizontal flourish extending to the right.

Kenneth L. Steinthal

David J. Taylor

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

(650) 802-3100 (phone)

*Counsel for National Public Radio*

December 18, 2006

CERTIFICATE OF SERVICE

I hereby certify that a single copy of the enclosed submission of NPR's Motion To Amend the Rebuttal Findings of Fact and Conclusions of Law has been served this 18th day of December 2006 in accordance with the Protective Order in place in Docket No. 2005-1 CRB DTRA.

|   |  |
|---|--|
| <p>Thomas J. Perrelli, Esq.<br/>Jenner &amp; Block LLP<br/>601 Thirteenth Street, NW<br/>Washington, DC 20005<br/><a href="mailto:Tperrelli@jenner.com">Tperrelli@jenner.com</a></p> <p><i>Counsel for SoundExchange</i></p>  | <p>Bruce G. Joseph, Esq.<br/>Wiley Rein &amp; Fielding LLP<br/>1776 K Street NW<br/>Washington, DC 20006<br/><a href="mailto:bjoseph@wrf.com">bjoseph@wrf.com</a></p> <p><i>Counsel for Bonneville International Corp., CBS Radio Inc., Clear Channel Communications, Inc., The NRBMLC, The NRBNMLC, and Susquehanna Radio Corp.</i></p> |
| <p>Kenneth D. Freundlich, Esq.<br/>Schleimer &amp; Freundlich, LLP<br/>9100 Wilshire Boulevard<br/>Suite 615- East Tower<br/>Beverly Hills, CA 90212<br/><a href="mailto:kfreundlich@earthlink.net">kfreundlich@earthlink.net</a></p> <p><i>Counsel for Royalty Logic, Inc.</i></p> | <p>William Malone<br/>James R. Hobson<br/>Miller &amp; Van Eaton, PLLC<br/>1155 Connecticut Avenue, NW, Suite 1000<br/>Washington, DC 20036-4306<br/><a href="mailto:wmalone@millervaneaton.com">wmalone@millervaneaton.com</a></p> <p><i>Counsel for Intercollegiate Broadcasting System, Inc.</i></p>                                  |
| <p>David W. Rahn<br/>Co-President<br/>SBR Creative Media, Inc.<br/>7464 Arapahoe Road, Suite B4<br/>Boulder, CO 80303<br/><a href="mailto:dave@sbrcreative.com">dave@sbrcreative.com</a></p>  | <p>David D. Oxenford, Esq<br/>Davis Wright Tremaine LLP<br/>1500 K Street NW<br/>Suite 450<br/>Washington DC 20005-1272</p> <p><i>Counsel for Accuradio, Digitally Imported, Discombobulated, LLC, myradio.com, Radioio, Radio Paradise, 3wk LLC, and Educational Media Foundation</i></p>   |
| <p>Seth Greenstein<br/>Constantine Cannon<br/>1627 Eye Street, NW, 10th Floor<br/>Washington, DC 20006<br/><a href="mailto:sgreenstein@constantinecannon.com">sgreenstein@constantinecannon.com</a></p> <p><i>Counsel for Collegiate Broadcasters, Inc</i></p>                      |  |

KSUW